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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,120	10/11/2005	Mark Alexander Dodd	GPALPAU47	2645
Myers Dawes Andras & Sherman 11th Floor 19900 MacArthur Boulevard Irvine, CA 92612				
7590 08/21/2008				
EXAMINER				
LE, HUYEN D				
ART UNIT		PAPER NUMBER		
2615				
MAIL DATE		DELIVERY MODE		
08/21/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/530,120

Applicant(s)

DODD, MARK ALEXANDER

Examiner

HUYEN D. LE

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Catherwood, Sr. (U.S. patent 4,594,082).

Regarding claim 1-3, 9, 10 and 11, Catherwood teaches a method and apparatus of an enclosure (10, 12) which constitutes a humidity region and comprises a loudspeaker enclosure (figure 1) as claimed. Cartherwood further teaches the enclosure comprising passage means (42, 48, 64) to enable the outward movement of gases therefrom. As shown in figures 1, 3, 7, 10, 13, the passage means comprises a tube having a bore as claimed.

Catherwood does not specifically disclose a heat source within the enclosure. However, Catherwood does teach that the dehydrating material (44) can be dried out under heat (col. 4, lines 21-32).

Therefore, it would have been obvious to one skilled in the art to provide any heat source in the enclosure (10, 12) for better drying out the dehydrating material (44) and better reducing the moisture in the enclosure of the electronic instruments.

Regarding claims 4 and 13, Catherwood does not specifically teach the heat source comprising the electrical resistor. However, it is very well known in the art to provide an electrical resistor for a heat source.

Therefore, it would have been obvious to one skilled in the art to provide any heat source for the Catherwodd device such as an electrical resistor for better providing a heat source to dry out the dehydrating material and reduce the moisture in the enclosure.

Regarding claims 5, 6, 12, 14, 15 and 18, Catherwood does not specifically teach that the heat source is cycled operative as claimed. However, Catherwood does teach that the dehydrating material or the desiccant can come with moisture indicators (col. 4, lines 23-36); it therefore would have been obvious to one skilled in the art to provide the heat source of Catherwood to be operative in any cycle time such as at intervals of hours for better controlling the moisture in the enclosure.

Regarding claims 7 and 16, Catherwood teaches a desiccant as claimed (col. 4, lines 21-36).

Regarding claims 8 and 17, Catherwood teaches an absorbent material (44) as claimed (col. 4, lines 21-40).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Goodman (U.S. patent 5,446,249) teaches a dry acoustic system preventing condensation.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUYEN D. LE whose telephone number is (571) 272-7502. The examiner can normally be reached on 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SUHAN NI can be reached on (571) 272-7505. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HUYEN D. LE/
Primary Examiner, Art Unit 2615

HL
August 15, 2008